

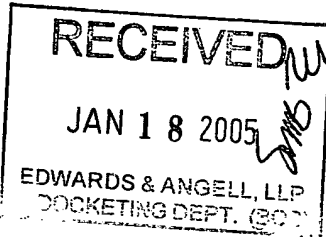


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UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/758,233	01/13/2004	Poul Bertelsen	55682-C (71432)

21874
EDWARDS & ANGELL, LLP
P.O. BOX 55874
BOSTON, MA 02205



CONFIRMATION NO. 5334

FORMALITIES LETTER



OC000000014955735

Date Mailed: 01/13/2005

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

03/17/2005 MWOLDGE1 00000088 041105 10758233

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

01 FC:1011 300.00 DA
02 FC:1111 500.00 DA
03 FC:1311 200.00 DA
04 FC:1051 130.00 DA
05 FC:1201 200.00 DA
06 FC:1202 1050.00 DA
07 FC:1203 300.00 DA

Items Required To Avoid Abandonment: 1203 #360

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 790 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$3010 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$3930 for a Large Entity

- \$790 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$3010

Missing Parts
Edwards & Angell LLP

101 Federal St. Boston, MA 02110

Docketed For 3/13/05-7/13/05

By [Signature]

Approved [Signature]

- \$200 for 1 independent claims over 3.
- \$2450 for 49 total claims over 20.
- \$360 for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

12134
Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY



Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).		Complete if Known	
FEE TRANSMITTAL For FY 2005		Application Number	10/758,233-Conf. #5334
		Filing Date	January 13, 2004
		First Named Inventor	Poul E. Bertelsen
		Examiner Name	Not Yet Assigned
		Art Unit	1615
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	Attorney Docket No.	55682CON(71432)	
TOTAL AMOUNT OF PAYMENT	(\$) 2,740.00		

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 04-1105 Deposit Account Name: Edwards & Angell, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, **except for the filing fee**

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	Fee (\$)	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
		Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	
Utility	300	150	500	250	200	100	1,000.00	
Design	200	100	100	50	130	65		
Plant	200	100	300	150	160	80		
Reissue	300	150	500	250	600	300		
Provisional	200	100	0	0	0	0		

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims 41 - 20 = 21 x 50.00 = 1,050.00

Multiple Dependent Claims
Fee (\$) 360.00 Fee Paid (\$) 360.00

Indep. Claims 4 - 3 = 1 x 200.00 = 200.00

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35-U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

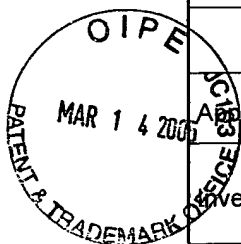
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

4. OTHER FEE(S)

	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): <u>1051 Surcharge-Late oath or declaration</u>	<u>130.00</u>

SUBMITTED BY			
Signature	<u>Christine C. O'Day</u>	Registration No. (Attorney/Agent)	38,256
Name (Print/Type)	Christine C. O'Day	Telephone	(617) 439-4444
		Date	March 14, 2005

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV492342614US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Dated: March 14, 2005	Signature: <u>Judy Daley</u> (Judy Daley)

**AMENDMENT TRANSMITTAL LETTER**Docket No.
55682CON(71432)Application No.
10758,233-Conf. #5334Filing Date
January 13, 2004Examiner
Not Yet AssignedArt Unit
1615

Applicant(s): Poul E. Bertelsen et al.

Invention: QUICK RELEASE PHARMACEUTICAL COMPOSITIONS OF DRUG SUBSTANCES

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	41	- 20 =	21	x 50.00	1,050.00
Independent Claims	4	- 3 =	1	x 200.00	200.00
Multiple Dependent Claims (check if applicable) <input checked="" type="checkbox"/>					360.00
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					1,610.00

☒ Large Entity☐ Small Entity☐ No additional fee is required for this amendment.☒ Please charge Deposit Account No. 04-1105 in the amount of \$ 1,610.00.
A duplicate copy of this sheet is enclosed.☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director is hereby authorized to charge and credit Deposit Account No. 04-1105
as described below. A duplicate copy of this sheet is enclosed.☒ Credit any overpayment.☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.Dated: March 14, 2005Christine C. O'Day
Attorney Reg. No.: 38,256EDWARDS & ANGELL, LLP
P.O. Box 55874
Boston, Massachusetts 02205
(617) 439-4444

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV492342614US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: March 14, 2005

Signature:

(Judy Daley)



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/758,233-Conf. #5334	
	Filing Date	January 13, 2004	
	First Named Inventor	Poul E. Bertelsen	
	Art Unit	1615	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission	21	Attorney Docket Number	55682CON(71432)

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): Application Data Sheet Part 2 Copy of Notice Return Receipt Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	EDWARDS & ANGELL, LLP		
Signature			
Printed name	Christine C. O'Day		
Date	March 14, 2005	Reg. No.	38,256

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Dated: March 14, 2005

Signature:

(Judy Daley)

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Dated: March 14, 2005

Signature: *Judy Daley*

(Judy Daley)

Docket No.: 55682CON(71432)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Poul E. Bertelsen et al.

Application No.: 10/758,233

Confirmation No.: 5334

Filed: January 13, 2004

Art Unit: 1615

For: QUICK RELEASE PHARMACEUTICAL
COMPOSITIONS OF DRUG SUBSTANCES

Examiner: Not Yet Assigned

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

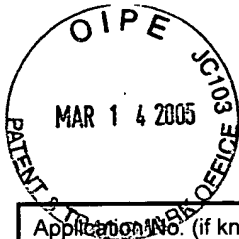
In response to the Notice to File Missing Parts of Application – Filing Date
Granted mailed January 13, 2005, Applicant respectfully submits an Application Data
Sheet, a Preliminary Amendment, and Part 2 Copy of Notice.

The Director is hereby authorized to charge any deficiency in the fees filed,
asserted to be filed or which should have been filed herewith (or with any paper
hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under
Order No. 55682CON(71432). A duplicate copy of this paper is enclosed.

Dated: March 14, 2005

Respectfully submitted,

By *Christine C. O'Day*
Christine C. O'Day
Registration No.: 38,256
EDWARDS & ANGELL, LLP
P.O. Box 55874
Boston, Massachusetts 02205
(617) 439-4444
Attorney for Applicant



Application No. (if known):

Attorney Docket No.: 55682CON(71432)

Certificate of Express Mailing Under 37 CFR 1.10

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on March 14, 2005
Date

Signature

Judy Daley

Typed or printed name of person signing Certificate

Registration Number, if applicable

(617) 439-4444
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Application Data Sheet (2 pages)
Preliminary Amendment (12 pages)
Part 2 Copy of Notice (2 pages)
Response to Notice to File Missing Parts of Application (1 page)
Transmittal (1 page)